

UNITED STATES DISTRICT COURT FOR  
THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	8:08CR298
	)	
vs.	)	<b>FINAL ORDER OF</b>
	)	<b>FORFEITURE</b>
	)	
ROBERTO AVALOS-RODRIGUEZ,	)	
	)	
Defendant.	)	

NOW ON THIS 21<sup>st</sup> day of January, 2009, this matter comes on before the Court upon the United States' Motion for Final Order of Forfeiture. The Court reviews the record in this case and, being duly advised in the premises, find as follows:

1. On November 7, 2008, the Court entered a Preliminary Order of Forfeiture pursuant to the provisions of Title 18, United States Code, Sections 922(g)(5), 924(d) and Title 28, United States Code, 2461(c), based upon the Defendant's plea of guilty to Counts I and II of the Indictment filed herein. By way of said Preliminary Order of Forfeiture, the Defendant's interest in a Davis Industries Model P-32 .32 caliber pistol, was forfeited to the United States.

2. Notice of Criminal Forfeiture was posted on an official Government internet site ([www.forfeiture.gov](http://www.forfeiture.gov)) for at least thirty consecutive days, beginning on November 17, 2008, as required by Rule G(4)(a)(iv)(C) of the Supplemental Rules for Admiralty or Maritime and Asset Forfeiture Claims. A Declaration of Publication was filed herein on January 20, 2009 (Filing No. 27).

3. The Court has been advised by the United States no Petitions have been filed. From a review of the Court file, the Court finds no Petitions have been filed.

4. The Plaintiff's Motion for Final Order of Forfeiture should be sustained.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

A. The Plaintiff's Motion for Final Order of Forfeiture is hereby sustained.

B. All right, title and interest in and to the Davis Industries Model P-32 .32 caliber pistol, held by any person or entity, is hereby forever barred and foreclosed.

C. The Davis Industries Model P-32 .32 caliber pistol, be, and the same hereby is, forfeited to the United States of America .

D. The United States Bureau of Alcohol, Tobacco and Firearms for the District of Nebraska is directed to dispose of said property in accordance with law.

DATED this 21<sup>st</sup> day of January, 2009

**BY THE COURT:**

/s Joseph F. Bataillon

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**JOSEPH F. BATAILLON, CHIEF JUDGE**  
**United States District Court**